

Statement of
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Border Security and Local Communities

Senator Webb

Thank you very much for the opportunity to be with you today and to address southern border security from a local perspective. I think my observations developed from my 14 years working for the Chula Vista Police Department will be of particular interest to you. Chula Vista is a beautiful city located by the San Diego Bay and within view of the international border with Mexico.

Introduction

The intense suffering the United States endured after the 9/11 attacks led to a heightened awareness of risk from terrorism. This consciousness has permeated our understanding of our own security and dramatically affected the way we define threats. But terrorism is not our only national security threat, and in the case of our international border with Mexico, may actually be dwarfed by the threats posed by transnational organized crime, the movement of international street gangs, and massive uncontrolled migration. For the week ending on October 5, 2008, the San Diego Union Tribune reported 54 cartel-related homicides in Tijuana.² **Yet, to describe our relationship with the border only in terms of threats posed is to misunderstand the border as a culturally vibrant, economically powerful region; one characterized by increasing interdependence between Mexican and American border communities.**³

This ambivalence – wanting to secure our borders on the one hand, but needing the cheap labor supplied by Latin America on the other, has defined our troubled immigration policy for decades and interferes with our developing a truly rational border security policy. The reason it makes sense to view this from a local border community perspective is that all the factors operating come to play locally and can be observed and analyzed more easily.

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² S. Dibble et. al., "Unease About Potential For Spillover Rises in US", San Diego Union Tribune, 10/05//2008.

³ For an excellent review of current border dynamics and policy issues, see Soden, Dennis, Institute for Policy and Economic Development, "At the Crossroads: US/Mexico Border Counties in Transition", for the Border Counties Coalition, UTEP, 03/2006.

1. *Develop an overarching national borders policy that balances security with growing cultural and economic interdependence.*

Those of us living far from the borders may not understand that the border is actually a large, binational region of about 13 million residents – roughly 6.5 million on each side. If the 24 US Counties making up the border region were combined into the 51st state, it would be 13th in size - larger than Maryland or Massachusetts.⁴ Cross-border ties run deep and for generations. Border residents move back and forth on a daily basis, sharing family life, cultural activity, and most importantly, participating in a joint economic life.

In 2006 it is estimated that Mexican nationals visiting San Diego County spent almost \$3 billion dollars on US goods. That huge sum generates many jobs and tremendous local tax revenue supporting local public service.⁵ In similar fashion, several hundred thousand US citizens live in Baja California, pumping hard dollars into the local Mexican economy. Especially during tough economic times, the last thing we want to do is interfere with the legitimate and substantial cross-border economy.

The challenge then is to develop security processes that can distinguish between legitimate and illegitimate activity - encouraging the former and discouraging the latter. Understandably, but to our detriment, our recent working paradigm has been heavily weighted to keeping unwanted people and dangerous things out rather than recognizing how interdependent the two nations really are. **Thus, any new administration should consider investing as much in facilitating legal and controlled cross-border movement as it does in erecting barriers.**

Border security is not just a US problem. Mexico is faced with flows of guns and cash that move south from the United States, fueling crime operations and the human carnage occurring there. The Mexican government has traditionally argued that their organized crime problem is a result of US dependence on illicit drugs. Now the Mexican government is pushing for US action on controlling southbound weapons. Those of us who frequently cross the border know though that the Mexican government plays almost no effective role in addressing either southbound contraband or the northbound flow of migrants. **Since we share a similar need to secure the border region and promote its economy, it would make sense to develop a shared, binational border security strategy – each side acquiring cooperation from the other in their respective areas of concern.**

2. *Calculate and counter the threat of cross border violence.*

⁴ Soden, Op. Cit.

⁵ San Diego Dialogue, UCSD Extension, 2006. More than 24 million persons and passenger vehicles crossed northbound between Tijuana and San Diego in FFY 2006 – the busiest land border crossing between any two countries in the world. See San Diego Association of Governments SANDAG, “San Ysidro Port of Entry, Northbound Passenger Vehicle and Pedestrian Crossings”, Ports of Entry Crossings and Trade Statistics, www.sandag.org.

In recent years, Mexico has seen rising cartel-related violence nationally. The most intense violence has been located in the central Pacific region, but Mexican border states have increasingly suffered as well. Murder targets have been primarily other members of organized crime. But uninvolved Mexican nationals have been the victims of extortion and kidnapping – offshoot cartel activity. In the 14-month period ending in October 2008, the San Diego Union Tribune reported 41 kidnappings of US citizens and legal residents in Tijuana, Rosarito and Ensenada.⁶ Where binational population centers exist, as in the case of San Diego-Tijuana and El Paso-Juarez, border violence takes on an even greater potential threat. And in fact, anecdotal evidence suggests strongly that US border communities now regularly experience some border crime spillover, including homicides and kidnappings.

San Diego County has for decades served as a bedroom community for high-income/high-status Mexican nationals – professionals, business people, and even Mexican government officials.⁷ As security has become a greater problem in Tijuana, US border communities have experienced an increase in Mexican nationals abandoning their city and moving north. Unfortunately, also moving north are organized crime families. There is no good data on the extent of sheltering families or their involvement in organized crime. Likewise there is little summary data on border violence spillover. But, local law enforcement officials see a growing pool of residents who are potential victims of major crime if the cartels refocus their efforts to the US side of the border. Traditional wisdom has been that Mexican organized crime will not pursue targets north in direct conflict with US law enforcement, but assuming this will be always true is dangerous. **As a result, the Department of Justice should be encouraged to collect summary data across the entire border on border crime spillover affecting federal, state, local and tribal agencies. Regional strategies should be developed ahead of time in the event border crime spillover becomes a more widespread phenomenon.**

3. *Inoculate border law enforcement personnel and local communities from the effects of border corruption.*

For a variety of historical, cultural and structural reasons, Mexico has long struggled with high levels of corruption among its police services. As a nation, Mexico ranks 72nd among all nations measured in the 2008 Transparency International Corruption Perception Index (Denmark is ranked least corrupt at 1; the United States is 18th).

⁶ Sandra Dibble et. al., Op. Cit.

⁷ See Richard Marosi, "US a Haven for Tijuana Elite", LA Times, June 7, 2008... 'So many upper-class Mexican families live in the Eastlake neighborhood and Bonita, an unincorporated community adjacent to Chula Vista, that residents say the area is becoming a gilded colony of Mexicans, where speaking English is optional and people can breathe easy cruising around in their Mercedes-Benzes and BMWs. "I always say that Eastlake is the city with the highest standard of living in all of Mexico,' joked Enrique Hernandez Pulido, a San Diego-based attorney with many Mexican emigre clients."

The tremendous influence of the narcotics cartels has made the reduction of corruption in Mexico even more difficult. In too many Mexican border communities, organized crime is able to operate with relative impunity.

Because the cartels are resource rich, they are also able to target US border agents and local police, recruiting them for corrupt activity using a variety of methods. Corrupt officers working at the border facilitate organized crime by providing intelligence and by participating in moving contraband and people across the border. Since the cartels need logistical support on both sides of the border, similar corrupting influence can be brought to bear on US local communities and their institutions. Because the affected department typically handles these cases internally, summary data on border corruption across agencies is difficult to access.

As a result, lessons learned from exposing and prosecuting cases of corruption are unlikely to be shared among agencies and communities at risk. Yet there may be great value in analyzing cases of border corruption as part of a larger effort to inoculate organizations and personnel against undue influence. **Border security efforts could be greatly strengthened with a regular, open-eyed assessment of the level of corrupt activity across agencies, its nature, and the factors that enhance or inhibit it.** This material should be provided to affected agencies and local communities to assist them in their anti-corruption efforts.

4. Fostering binational regional public safety planning.

A significant subset of public safety issues is shared across the international line. These include auto theft, addiction, the movement of fugitives, parolees and gang members, traffic control (especially drunk driving), and crime prevention. Yet little local or regional binational public safety planning occurs. Many of the resources necessary to make effective planning a reality already exist, including constructive working relationships between local and state agencies on both sides of the border. **While there are also limitations on cooperation, the benefits of cross-border public safety planning on the security of the border is likely to reap big benefits for a limited outlay.**

5. Address federal cost shifting to local governments and invest in binational security-enhancing activity.

The federal government has primary control over our national borders. When control is poor, it is local governments that deal with the consequences. For example, the Border Counties Coalition estimates that from 1999 through 2006, the 24 counties along the border spent a cumulative \$1.23 billion on services to process undocumented criminal

aliens but received federal reimbursement for only about 5% of their costs.⁸ A similar picture emerges when analyzing border county emergency health care expenditures for undocumented immigrants. Border counties and states have asked Congress for adequate reimbursement.

Border enforcement in the United States has appropriately relied heavily on federal agencies. **But it is local communities that serve as the conduits for trafficked persons and drugs. As a result, local police officers develop a keen understanding of the networks of suspects and logistical support enabling organized crime operations on the US side. A comparatively modest targeted investment in local law enforcement could further enhance border security.**

Consider providing federal funds to support:

- a. border state and local police officer assignments to fusion centers, significantly enhancing regional intelligence;
- b. the current informal network of police international liaison officers working on both sides of the border;
- c. regional public safety planning; and most importantly
- d. a bilateral border security research agenda.

Conclusion

Senator, Americans are now rightfully preoccupied with the election and the state of the economy. But as both move closer to resolution, we will once again be faced with the need to address border security. As you direct our national response, please keep in mind that **we need to take seriously the potential for increased border crime spillover, national security solutions need to recognize and build on the strengths of border communities, and that local law enforcement and related institutions could be playing an even greater role.**

⁸ Testimony of Isaac A. Reyes, Washington Representative of the U.S./Mexico Border Counties Coalition, House Judiciary Committee, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, Problems with Immigration Detainee Medical Care, Wednesday, June 4, 2008